

Remarks/Argument

By this amendment, claims 1, 2, 6-15, and 19-22 have been canceled, claims 23, 24, 45, and 47 have been amended, and new claims 50-59 have been added. No new matter has been added. Claims 23-25, 29-38, 42-47, and 50-59 remain for examination.

I. Claims 23 and 50-54

Claim 23 was rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent 5,542,873 to Shank, Jr. Without acceding to the correctness of that rejection, applicant has amended claim 23 to further define the invention.

Amended claim 23 recites a media control valve that includes an air-actuated closing member that is constructed and arranged to provide all metering positions from a fully closed position to a fully open position. It is respectfully submitted that Shank, Jr. does not contain all of the features of amended claim 23, including, for example, air-actuation or all metering positions, and that this claim is therefore patentable over that reference. Applicant is not aware of any other prior art reference that contains all of the features of amended claim 23.

New claims 50-54 depend from and contain all of the limitations of amended claim 23 and are believed to be patentable for at least the same reasons as amended claim 23.

II. Claims 24 and 25, 29-38, 42-44, and 55

Claim 24 was also rejected as anticipated by Shank, Jr. Claim 24 has been amended to remove unnecessary limitations concerning a gentle seal and a contaminant isolation region and to include the feature of the plunger, piston, and sleeve being constructed and arranged to provide all metering positions from a fully closed position to a fully open position.

It is respectfully submitted that amended claim 24 is patentable over Shank, Jr. for at least the reason that Shank, Jr. teaches an on-off type valve that does not allow metering, while the valve of amended claim 24 is, by contrast, constructed and arranged to allow all metering positions from a fully closed position to a fully open position. Applicant is not aware of any other prior art reference that contains all of the features of amended claim 24.

Claims 25, 29-38, 42-44, and 55 depend from and contain all of the limitations of amended claim 24 and are believed to be patentable for at least the same reasons as amended claim 24.

III. Claims 45 and 56-59

Claim 45 was also rejected under 35 U.S.C. § 102 as anticipated by Shank, Jr. Again without acceding to the correctness of that rejection, applicant has amended claim 45 to further define the invention.

Amended claim 45 recites a media control system that includes an air-actuated media control valve that is constructed and arranged to provide all metering positions from a fully closed position to a fully open position. It is respectfully submitted that Shank, Jr. does not contain all of the features of amended claim 45, including, for example, air-actuation or all metering positions, and that this claim is therefore patentable over that reference. Applicant is not aware of any other prior art reference that contains all of the features of amended claim 45.

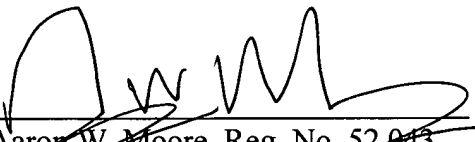
New claims 56-59 depend from and contain all of the limitations of claim 23 and are believed to be patentable for at least the same reasons as amended claim 23.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,

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